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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,185	12/01/2003	Tatsuya Sato	117902	1346
25944	7590	11/02/2004	EXAMINER	
OLIFF & BERRIDGE, PLC				NOLAN JR, CHARLES H
P.O. BOX 19928				
ALEXANDRIA, VA 22320				
				ART UNIT
				PAPER NUMBER
				2854

DATE MAILED: 11/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/724,185	SATO, TATSUYA	
	Examiner	Art Unit	
	Charles H Nolan, Jr.	2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 01 December 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453.O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-18 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 01 December 2003 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some *
 - c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12-30-03;6-16-04.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Kitajima (6,348,697, note PCT publication date).

With respect to Claim 1, Kitajima teaches the detecting unit 11 in figure 4A, the adjusting unit 15 on the front page diagram and the edge detecting unit in figures 3A and 3B. With respect to Claim 2, Kitajima teaches the light emitting and light receiving elements in column 5, lines 5-11, the edge detecting unit in column 9, lines 11-13 and the adjusting unit function in figures 3A -3B and column 6, lines 12-54. With respect to Claim 3, Kitajima teaches the maximum value (difference) in column 8, lines 20-24.

3. Claims 1-7 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by EP 0 526 154 to Canon.

With respect to Claim 1, Canon teaches the detecting unit S4 on the front page diagram, the adjusting unit function in column 7, lines 34-37 and 8, lines 18-45, and the edge detecting unit S6 on the front page diagram. With respect to Claim 2, Canon teaches the reflection type sensor in column 5, lines 38-40 and the edge detecting unit function in column 5, lines 35-37, the adjusting unit function in column 7, lines 49-60 and column 8, lines 1-45. With respect to Claim 3, Canon teaches the maximum value (average of the higher values) in column 7, lines 50-51. With respect to Claims 4,7, Canon teaches the average value in column 7, lines 50-51. With respect to Claim 5, Canon teaches the detecting and adjusting unit functions in column 7, lines 33-60 and column 8, lines 1-47 and figure 4. With respect to Claim 6, Canon teaches the smallest value (average of the lower values) in column 7, lines 50-52.

4. Claims 10-18 are rejected under 35 U.S.C. 102(a or e) as being clearly anticipated by Kinas et al. (6,390,703).

With respect to Claim 10, Kinas teaches the conveying unit 20 on the front page diagram, the recording unit 34 on the front page diagram, the detecting unit in column 7, lines 66-67 and column 8, lines 1-5, the edge detecting unit in figure 5 and the adjusting unit in column 8, lines 6-42 and detecting both side edges of the recording medium in column 8, lines 32-42 and figure 5. With respect to Claim 11, Kinas teaches the moving device in column 8, lines 47-50. With respect to Claim 12, Kinas teaches the adjusting unit control as the conveying conveys the recording medium in column 8, lines 2-10. With respect to Claims 13-14, Kinas teaches the adjustment start control functions in column 7, lines 48-56 and figure 4 @ element 52. With respect to Claims 15-16, Kinas

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teaches that the detecting unit detects the value of the medium detection data at a plurality of locations from the centerline at equal zero intervals in figure 5. With respect to Claims 17-18, Kinas teaches the first medium detection data detected at reference line 52 in figure 4 and column 7, lines 48-55.

Claim Objections

5. Claim 6 is objected to because of the following informalities: In Claim 6, line 4, the "e" is missing in the word smallest. Appropriate correction is required.

Allowable Subject Matter

6. Claims 8-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter: The Examiner reserves comment until the entire instant application is in condition for allowance.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles H Nolan, Jr. whose telephone number is 571-272-2171. The examiner can normally be reached on Monday through Thursday 8:00 AM to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on 571-272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Charles H. Nolan, Jr.
Primary Examiner
Art Unit 2854

CHN